



**IN THE COURT OF ADDL.CIVIL JUDGE & J.M.F.C., AT
CHIKKANAYAKANAHALLI**

Present: Sri. Yashwanth Kumar K., B.A., LL.B.,
Prl.Civil Judge and J.M.F.C.,
Chikkanayakanahalli.

Dated this the 17th day of July, 2026

O.S.No.97/2022

Plaintiff : Rangaswamy S/o
Doddarangappa,
Aged about 45 years,
R/at: Badakegudlu,
Kandikere Hobli,
Chikkanayakanahalli Taluk,
Tumakuru District.

(By Sri.S.G.K, Advocate)

V/s

Defendant : Ramaiah S/o Guddadavenkatabhovi,
Aged about 50 years,
R/at: Bhovikaloni, Badakegudlu,
Kandikere Hobli, C.N.Halli Taluk,
Tumakuru District.

**(By Sri.N.J/WSNF., Adv.D1)
(D2 & 3-Deleted)**

Date of Institution of suit	23.03.2022
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Nature of the suit	Injunction suit		
Date of commencement of recording of evidence	22.08.2025		
Date on which Judgment was pronounced	17.07.2026		
Total Duration	<u>Year/s</u> 04	<u>Month/s</u> 03	<u>Day/s</u> 24

(Yashwanth Kumar.K.)
Prl.Civil Judge & JMFC.,
Chikkanayakanahalli

JUDGMENT

The plaintiff has filed suit against the defendant for permanent prohibitory injunction to restrain the defendants or his agents from disturbing the peaceful possession and enjoyment of the suit schedule property and from encroachment.



2. **The brief facts of the plaintiff's are that:**

The plaintiff is the owner in possession of suit schedule property which is government karab land, the father of the plaintiff cultivating the land since 60 years under Bhagar Hukum and he developed the land suitable for cultivation by investing huge amount and he also paying TT and revenue to the competent authority and filed application in prescribed form for grant. The father of the plaintiff suffering from diseases due to his old age, the plaintiff is also helping his father in possession of the plaintiff and he also filed an application on 3/12/2018 for grant on 14/11/2021. The Tahasildar issued notice for spot inspection and accordingly prepared the spot inspection and a sketch. The plaintiff is in possession and enjoyment of the property the defendants without having any manner of right, title or



interest, trying to encroach the schedule property by creating some imaginary documents. Hence, prays to decree the suit.

3. Though, the suit summons served to the defendants the defendant No.1 appeared through his counsel, but not chosen to file the written statement by contesting the suit.

4. In order to prove the case of the plaintiff, the plaintiff himself examined as PW1. But no documents got marked in his behalf.

5. Heard arguments of the plaintiff.

6. The following points arose for consideration.

1. Whether the plaintiff proves that he is in possession and enjoyment of the suit schedule property?



2. Whether the defendants interfered with the possession of the plaintiff?
 3. Whether the plaintiff is entitled for the relief as prayed?
 4. What order or decree?
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7. My answer to the above points as follows:

Point No.1 : In the **Negative**

Point No.2 : In the **Negative**

Point No.3 : In the **Negative**

Point No.4 : As per final order
for the following

REASONS

8. **Point No.1 to 3:-** These are points are interlinked together, hence taken for common discussion to avoid repetition of facts and circumstances.



9. The plaintiff has filed a suit against the defendant for permanent prohibitory injunction and to prove the same, the plaintiff himself examined as PW1 filed his affidavit in lieu of chief examination. PW1 deposed that, the father of the plaintiff is in possession of suit schedule property from more than 60 years by developing the land suitable for cultivation and he has also filed an application for grant and the plaintiff also filed the application for grant before competent authority. The defendants without having any manner of right, title or interest interfering with the possession of the plaintiff.

10. Though the plaintiff deposed that, he is in possession and enjoyment over the suit schedule property, but the plaintiff not got marked any documents on his behalf to establish his case in spite of giving sufficient opportunity. Later, the plaintiff continuously remained absent. The plaintiff



has to primarily prove his case with cogent material evidence, when no documents got marked on his behalf to prove his contention, it is unable to conclude that the plaintiff is in possession of suit schedule property merely on oral deposition before the court. Thereby, the plaintiff failed to prove his case, cogent material evidence. Accordingly, Point No.1 to 3 answer in **Negative**.

11. **Point No.4**: In view of the above reasons, this court proceeds to pass the following.

ORDER

The suit of the plaintiff is hereby
dismissed with cost.

Draw decree accordingly.

*(Dictated to the stenographer and typed by her on computer, corrected by me and then pronounced by me in the open court this the **17th day of July, 2026**)*

(YASHWANTH KUMAR.K.),
Prl.Civil Judge and J.M.F.C.,
Chikkanayakanahalli.



ANNEXURE

List of witnesses examined for plaintiff/s:-

PW.1 : Rangaswamy

List of exhibits marked for plaintiff/s:-

-Nil-

List of witnesses examined for defendant/s:-

-Nil-

List of exhibits marked for defendant/s:-

-Nil-

sd/-

**(YASHWANTH KUMAR.K.),
Prl.Civil Judge and J.M.F.C.,
Chikkanayakanahalli.**